

ORIGINAL

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

In re: Methyl Tertiary Butyl Ether  
("MTBE") Products Liability Litigation

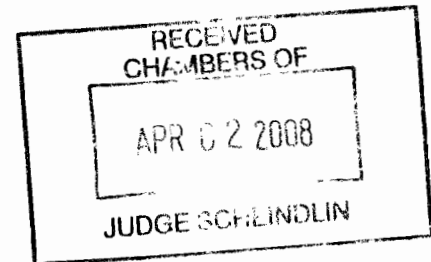
**This Document Relates To:**

*Orange County Water District v. Unocal Corp., et al.*, Case No. 04 Civ. 4968 (SAS).

USDC SDNY
DOCUMENT
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DOC #:
DATE FILED: 4/2/08

**STIPULATION AND PROPOSED  
ORDER RE TESORO  
DEFENDANTS' ANSWER TO  
PLAINTIFF'S THIRD AMENDED  
COMPLAINT**

Master File No. 1:00-1898  
MDL No. 1358 (SAS)  
M21-88



On March 21, 2008, Plaintiff filed its Third Amended Complaint, with amendments to paragraphs 104 and 106 only. Plaintiff and Tesoro Corporation (f/k/a Tesoro Petroleum Corporation) and Tesoro Refining and Marketing Company, erroneously named as Tesoro Refining and Marketing Company, Inc., (collectively, "Tesoro") here by stipulate that Tesoro's answer to Plaintiff's Second Amended Complaint, filed July 21, 2005, shall serve as Tesoro's response to Plaintiff's Third Amended Complaint, and no additional responsive pleading to the Third Amended Complaint need be filed at this time.

DATED: March \_\_\_\_, 2008

By: \_\_\_\_\_  
MILLER, AXLINE & SAWYER

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DATED: March 31, 2008

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Attorneys for Defendants  
Tesoro Corporation (f/n/a Tesoro Petroleum Corporation) and  
Tesoro Refining And Marketing Company Erroneously named  
as Tesoro Refining and Marketing Company, Inc.

The Court has considered the stipulation of the Plaintiff Orange County Water District and Tesoro to allow Tesoro's answer to Plaintiff's Second Amended Complaint to serve as Tesoro's response to Plaintiff's Third Amended Complaint, and the request is hereby **GRANTED**.

Dated: \_\_\_\_\_

IT IS SO ORDERED:

\_\_\_\_\_  
Shira A. Scheindlin, U.S.D.J.

On March 21, 2008, Plaintiff filed its Third Amended Complaint, with amendments to paragraphs 104 and 106 only. Plaintiff and Tesoro Corporation (f/k/a Tesoro Petroleum Corporation) and Tesoro Refining and Marketing Company, erroneously named as Tesoro Refining and Marketing Company, Inc., (collectively, "Tesoro") here by stipulate that Tesoro's answer to Plaintiff's Second Amended Complaint, filed July 21, 2005, shall serve as Tesoro's response to Plaintiff's Third Amended Complaint, and no additional responsive pleading to the Third Amended Complaint need be filed at this time.

DATED: March 31<sup>st</sup>, 2008

By: 

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DATED: March \_\_\_\_, 2008

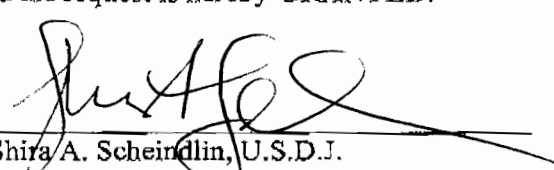
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as Tesoro Refining and Marketing Company, Inc.

The Court has considered the stipulation of the Plaintiff Orange County Water District and Tesoro to allow Tesoro's answer to Plaintiff's Second Amended Complaint to serve as Tesoro's response to Plaintiff's Third Amended Complaint, and the request is hereby **GRANTED**.

Dated: April 2, 2008

IT IS SO ORDERED:


  
Shira A. Scheindlin, U.S.D.J.

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the STIPULATION AND PROPOSED ORDER RE TESORO DEFENDANTS' ANSWER TO PLAINTIFF'S THIRD AMENDED COMPLAINT was served upon counsel via LexisNexis File & Serve on April 1, 2008.

A true and correct copy of the STIPULATION AND PROPOSED ORDER RE TESORO DEFENDANTS' ANSWER TO PLAINTIFF'S THIRD AMENDED COMPLAINT was also provided electronically to liaison counsel for Plaintiffs at mdl1358@weitzlux.com and liaison counsel for Defendants at mdl1358@mwe.com.

Executed at Los Angeles, California.

  
\_\_\_\_\_  
Kim Cummings